IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3924 of 2005

Between:

Kanakagari Siva Prasad S/o.K.Bhakathavatchaiah
R/o.5/685, (Old No.5/417) M.G.Street Srikalahasthi, Chittoor District.

..... PETITIONER

AND

1 The Commissioner, Srikalahasthi Municipality,

Chittoor District.
2 Mynampati Srilatha W/o.Ramu
SVIMS Hospital, Tirupati R/o.D.No.5-445, M.G. Street,
Srikalahasthi, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of Mandamus, declaring the inaction of the 1st respondent in not acting upon the representation of the petitioner dt.4.2.2005 and in not taking action against the unauthorised construction being made by the 2nd respondent in premises bearing door No.5/445, M.G.Street, Srikalahasthi, as illegal and arbitrary and consequently direct the 1st respondent take appropriate steps upon the petitioners representation and take action against the unauthorised construction being made by the 2nd respondent and prevent the same and effect necessary demolition and pass such other order or orders.

Counsel for the Petitioner:MR.P.ROY REDDY

Counsel for the Respondent No.: MR.S.I.NEWTON

The Court at the stage of admission made the following :

ORDER:

Heard learned counsel for the petitioner and the learned Standing Counsel Sri.S.I.Newton, appearing for the Municipality.

This writ petition is filed aggrieved by the alleged inaction on the part of the first respondent in taking necessary action on the basis of the complaint of the petitioner dated 04.02.2005, wherein he has alleged that the second respondent herein is proceeding with unauthorized constructions in the premises bearing Door No.5/455, M.G. Street, Srikalahasti, and thereby causing inconvenience to the petitioner and his family members.

Having regard to the facts and circumstances of the case, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent to consider the complaint of the petitioner dated 04.02.2005 and to pass appropriate orders in accordance with law, after affording due opportunity to the second respondent to rebut the allegations made against her, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. No costs.

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02.03.2005

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To

1 The Commissioner, Srikalahasthi Municipality,

Chittoor District.

2 Two CD copies.